

**Enrolled Minutes of the Eighty-Sixth Regular or Special Meeting
For the Twenty-Sixth Highland Town Council
Regular Meeting
Monday, June 27, 2011**

Study Session. The Twenty Sixth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, June 27, 2011 at 6:45 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Mark Herak, Dan Vassar and Konnie Kuiper were present. Councilor Brian Novak was absent owing to work related travel. Councilor Bernie Zemen was absent owing to family matter. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the imminent agenda of the regular meeting.
2. The Town Council discussed the request of the Public Works Director to hire a worker at a higher rate of pay than the starting rate of the position. The position is a part-time one, dedicated to building care and custodial duties in the Town Hall and at the Public Works Facility.
3. The Town Council discussed the order of entry of units in the Independence Festival parade, particularly noting the location of the Town Council and the School Board relative to each other.

The study session ended at 6:59 O'clock p.m.

Regular Meeting. The Twenty Sixth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, June 27, 2011 at 7:00 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Council Vice President Konnie Kuiper, presided as acting president and the Town Clerk-Treasurer was present to memorialize the proceedings. The meeting was opened with Councilor Dan Vassar reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Mark Herak, Dan Vassar and Konnie Kuiper. Councilor Brian Novak was absent owing to work related travel. Councilor Bernie Zemen was absent owing to family matter. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Town Attorney; John M. Bach, Public Works Director; Peter T. Hojnicky, Metropolitan Police Chief; Kenneth J. Mika, Building Commissioner; and Cecile Petro, Redevelopment Director were present.

Also Present: Peggy Glennie, Select Centennial Commission member; Dawn Wolak and Lisa Gauthier, Community Events Commission members was also present.

Minutes of the Previous Session

The minutes of the regular meeting of 13 June 2011 were approved by general consent.

Special Orders

1. **Public Hearing; Consideration of Introduced Ordinance No. 1493:** An Ordinance Amending the Highland Municipal Code and Re-Establishing the Municipal Cumulative Capital Development Fund. *This ordinance would authorize use of funds deposited to the Municipal Cumulative Capital Development Fund as authorized by changes to the enabling state statutes. The maximum rate of property tax levy may not exceed 0.400 for 2011 Pay 2012 and*

thereafter. In subsequent years, the rate may be the maximum rate authorized by the enabling state statute or a lower rate as determined by the Department of Local Government Finance or the Town Council. At the meeting of May 23, 2011, Councilor Herak introduced and filed the ordinance. There was no further consideration based upon the need to conduct the public hearing now scheduled.

- (a) The Town Attorney verified that the proofs of publication were in compliance with IC 5-3-1. (POST-TRIB 05-28-2011 and 06-06-2011)
- (b) **Public Hearing.** The Acting President called the public hearing to order. There were no public comments written or spoken. The hearing was closed.
- (c) Action on introduced **Ordinance No. 1493.** Councilor Herak moved and Councilor Vassar seconded the passage and adoption of Ordinance No. 1493. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The ordinance was adopted. (This adoption is subject to some post adoption procedures before it is operative for the Town.)

ORDINANCE NO. 1493
of the
TOWN of HIGHLAND, INDIANA

AN ORDINANCE TO AMEND THE HIGHLAND MUNICIPAL CODE BY REPEALING THE SUBCHAPTER ESTABLISHING THE MUNICIPAL CUMULATIVE CAPITAL DEVELOPMENT FUND, AND AMENDING BY RE-ESTABLISHING THE SUBCHAPTER, WITH THE SAME SECTIONS in the HIGHLAND MUNICIPAL CODE, ALL PURSUANT TO IC 36-1-3, IC 36-5-2, IC 36-9-15.5 AND IC 6-1.1-41 ET SEQ.

WHEREAS, The Town Council is the fiscal body of the Town of Highland;

WHEREAS, IC 36-9-15.5 authorizes municipalities to establish a cumulative capital development fund, its sources of revenue and its purposes; and,

WHEREAS, IC 36-9-15.5 also authorizes municipalities to re-establish a cumulative capital development fund, should a municipal legislative body determine that such an action is desirable;

WHEREAS, The Town Council of Highland, did pass and adopt Ordinance No. 1325, pursuant to the proper procedures, and ;

WHEREAS, IC 36-5-2-9 Provides that the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, IC 36-1-3-4 provides that the powers units have under IC 36-1-3-4(b)(1) are listed in various statutes, further noting that these statutes do not list the powers that units have under IC 36-1-3-4 (b)(2); therefore, the omission of a power from such a list does not imply that units lack that power; and

WHEREAS, IC 36-1-3-4 further provides that a unit has all powers granted it by statute as well as all other powers necessary or desirable in the conduct of its affairs, even though not granted by statute;

WHEREAS, The Town Council has determined that it would be desirable to re-establish its existing municipal cumulative capital development fund particularly to be sure to allow the fund to be used for all the lawful purposes set forth in IC 36-9-15.5; and

WHEREAS, The Town Council has determined that it is necessary, desirable and of great public benefit, to re-establish the fund herein referenced to support and carryout the lawful public purposes of the municipality; and

WHEREAS, It would be and is in the best interest of the Town of Highland to enact an ordinance as an amendment to the Highland Municipal Code in order to further perfect the operation of the Town;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the Highland Municipal Code be amended by adding a new Chapter to be numbered 175 and to be entitled: Capital Funds.

Section 2. That the Highland Municipal Code be amended by adding a new subchapter to be numbered 175.01 through 175.05 and to be titled Municipal Cumulative Capital Fund, which shall read as follows:

Municipal Cumulative Capital Development Fund

§ 175.01 ESTABLISHMENT AND TAX RATE

(A) There is hereby authorized, created and established a fund of the Town of Highland, to be called the **Municipal Cumulative Capital Development Fund**, pursuant to IC 36-9-15.5 et seq.;

(B) That the fund is dedicated and established to provide resources for the purposes permitted by IC 36-9-15.5 as may be amended from time to time and as set forth in this code;

(C) That an *ad valorem* property tax levy will be imposed and the revenues from the levy will be retained and deposited in the Town of Highland Cumulative Capital Development Fund.

(D) That, while there is no county option income tax is authorized, the maximum rate of the levy herein described will not exceed **.0400 per \$100 Assessed Valuation for 2011 pay 2012** and each year thereafter and such time as the fund may be rescinded or the rate reduced by action of the Town Council.

(E) That the Town of Highland Municipal Cumulative Capital Development Fund is established until such time as the fund is repealed or rescinded by action of the legislative body;

§ 175.02 PURPOSES, USES and PERMISSIBLE EXPENDITURES

(A) That expenditures from this fund shall be governed by the following provisions:

- (1) That expenditures from this fund shall for the purposes, uses and in support of the purposes or uses permissible for the funds as described in the following statutory references set forth in this code as may be amended from time to time;
- (2) That any and all of the lawful public purposes and or uses associated with the funds authorized and described in the following provisions of the Indiana Code are hereby authorized and adopted for the **Municipal Cumulative Capital Development Fund**:
 - (a) For capital improvements, uses and purposes as described in **IC 8-16-3** as amended from time to time;
 - (b) For capital improvements, uses and purposes as described in **IC 8-22-3-25** as amended from time to time;
 - (c) For capital improvements, uses and purposes as described in **IC 14-27-6-48** as amended from time to time;
 - (d) For capital improvements, uses and purposes as described in **IC 14-33-14** as amended from time to time;
 - (e) For capital improvements, uses and purposes as described in **IC 16-23-1-40** as amended from time to time;
 - (f) For capital improvements, public safety equipment acquisition, uses and purposes as described in **IC 36-8-14** as amended from time to time;
 - (g) For capital improvements, transportation planning, vehicle/ equipment acquisition, uses and purposes as described in **IC 36-9-4-48**, as amended from time to time;
 - (h) For capital improvements, land and public building acquisition, public way maintenance and improvements, uses and purposes as described in **IC 36-9-16-2** as amended from time to time;
 - (i) For capital improvements, computer soft/hardware expenses, communications expenses, other lawful governmental purposes, as described in **IC 36-9-16-3** as amended from time to time;
 - (j) For improvements of public ways and sidewalks, uses and purposes as described in **IC 36-9-16.5-2** as amended from time to time;
 - (k) For improvements of public ways, sidewalks, gutters, sewers, uses and purposes as described in **IC 36-9-17** as amended from time to time;
 - (l) For improvements of sewage disposal or treatment plants, sewers, uses and purposes as described in **IC 36-9-26** as amended from time to time;
 - (m) For capital improvements related to drainage, sewers, uses and purposes as described in **IC 36-9-27-100** as amended from time to time;
 - (n) For capital improvements to parks, uses and purposes as described in **IC 36-10-3-21**, as amended from time to time;
 - (o) For capital improvements to parks, uses and purposes as described in **IC 36-10-4-36** as amended from time to time;

(B) That money held in the cumulative capital development fund may be spent for purposes other than the purposes stated in section §175.02 (A) of this code, if the purpose is to protect the public health, welfare, or safety in an *emergency situation* that demands immediate action or to make a contribution to an authority established under IC 36-7-23.

(1) Money may be spent under the authority of § 175.02 (B) only after the executive of the municipality issues a declaration that the public health, welfare, or safety is in immediate danger that requires the expenditure of money in the fund; *or*

(2) Money may be spent under the authority of § 175.02 (B) after the executive of the municipality certifies in the minutes of the municipal legislative body that the contribution is made to the authority for capital development purposes.

§ 175.03 EXPENDITURE UPON APPROPRIATION

That expenditures from the Fund may be made only upon appropriation by the fiscal body for the purpose for which the fund is specifically established, in the manner provided by statute for making other appropriations and shall be disbursed only on approved accounts payable vouchers allowed by the legislative body, all pursuant to IC 5-11-10 and IC 36-5-4;

§ 175.04 INVESTMENTS AUTHORIZED

That pursuant to Indiana Code Title 5, Article 13, Chapter 9, and Chapter 36 of the Highland Municipal Code, moneys in the fund may be invested provided that the yields from the purchase and sale of any such investments be deposited with the fund;

§ 175.05 PRESERVATION and DISPOSITION OF FUND ASSETS

That all unused and unencumbered cash on deposit to the credit of the Municipal Cumulative Capital Development Fund do not revert to the corporation general fund nor to any other fund but shall remain with the Municipal Cumulative Capital Development Fund until such time as an ordinance is passed which rescinds the tax levy for this fund, and the Town Council authorizes a transfer of any remaining unexpended, unencumbered assets of the fund, all pursuant to IC 6-1.1-41-5 and IC 36-1-8-5.

Section 3. That the fund established by this ordinance does not take effect nor may this ordinance be adopted until a public hearing has been conducted pursuant to IC 36-9-15.5 and IC 6-1.1-41-3 and then approved by the Indiana Department of Local Government Finance;

Section 4. Any and all such ordinances in conflict with the provisions of this ordinance are hereby repealed and of no further force nor effect;

Section 5. This ordinance shall become and be in full force and effect from and after the date of its passage and adoption upon its signature by the executive in the manner prescribed by IC 36-5-2-10(a) and upon its approval by the Indiana Department of Local Government Finance, provided it has been duly adopted and filed before August 1, 2011 and the post adoption procedures for the establishment or re-establishment of this fund are properly observed.

Introduced and Filed on the 23rd Day of May 2011. Consideration on same day or at same meeting of introduction was not considered under IC 36-5-2-9.8, as the matter was set for a public hearing on **June 27, 2011** all pursuant to IC 36-9-15.5, IC 6-1.1-41 and IC 5-3-1-2(f).

DULY ORDAINED AND ADOPTED this 27th Day of June 2011, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 3 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Konnie Kuiper, Acting Town Council President

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer

Unfinished Business and General Orders:

1. **Resolution No. 2011-22:** An Exigent Resolution Providing for the Transfer of Appropriation balances from and among Major Budget Classifications in the Information Communication and Technology Fund as Requested by the Proper Officer and Forwarded to the Town Council for its Action pursuant to IC 6-1.1-18-6.

Councilor Herak moved and Councilor Vassar seconded the passage and adoption of Resolution No. 2011-22. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND
APPROPRIATION TRANSFER RESOLUTION
RESOLUTION NO. 2011-22**

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the INFORMATION COMMUNICATION and TECHNOLOGY FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **Information Communication & Technology Fund**;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That it has been shown that certain existing unobligated appropriations of the **Information Communication & Technology Fund** which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

INFORMATION COMMUNICATION & TECHNOLOGY FUND

Reduce Account: #320.03 Telephone	\$2,650.00
Total 300 Series Reductions	\$2,650.00
Increase Account: #200.03 Supplies/Equipment	\$2,650.00
Total 200 Series Increases	\$2,650.00
Total of All Fund Decreases:	\$2,650.00
Total of All Fund Increases:	\$2,650.00

DULY RESOLVED and ADOPTED this 27th Day of June 2011 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 3 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Konnie Kuiper, Acting President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

2. **Resolution No. 2011-23:** A Resolution Authorizing a Temporary Interfund Loan or Transfer, in the Park Bond and Interest (non-Exempt) Fund, pursuant to IC 36-1-8-4.

Councilor Herak moved and Councilor Vassar seconded the passage and adoption of Resolution No. 2011-23. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN of HIGHLAND
RESOLUTION NO. 2011-23**

A RESOLUTION AUTHORIZING TEMPORARY INTERFUND LOAN or TRANSFER PURSUANT to IC 36-1-8-4

Whereas, The Clerk-Treasurer has advised the Town Council that cash balance in the **Parks District Non-Exempt Bond and Interest Fund**, is not sufficient to meet its regular operating expenses prior to the receipt of the semi-annual distribution of ad-valorem revenues so it has become necessary to temporarily borrow money to enhance the fund;

Whereas, The Clerk-Treasurer has advised that there is sufficient money on deposit to the credit of the **Park Capital Fund** that can be temporarily transferred;

Now, Therefore Be it Resolved by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That the amount of **\$450,000.00** be borrowed for the **Parks District Non-Exempt Bond and Interest Fund** with the amount of **\$450,000.00** to be loaned by the **Park Capital Fund**;

Section 2. That said loan in the amount of **\$450,000.00** be repaid to the **Park Capital Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Parks District Non-Exempt Bond and Interest Fund** with such loan to be repaid no later than December 31, 2011, subject to IC 36-1-8-4(b).

Duly Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 27th day June 2011. Having been passed by a vote of 3 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Konnie Kuiper, Acting President IC 36-5-2-10

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

3. **Resolution No. 2011-24:** An Exigent Resolution Providing for the Transfer of Appropriation balances from and among Major Budget Classifications in the Corporation Capital Fund as Requested by the Proper Officer and Forwarded to the Town Council for its Action pursuant to IC 6-1.1-18-6.

Councilor Herak moved and Councilor Vassar seconded the passage and adoption of Resolution No. 2011-24. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND
APPROPRIATION TRANSFER RESOLUTION
RESOLUTION NO. 2011-24**

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the CORPORATION CAPITAL FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **Corporation Capital Fund**;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That it has been shown that certain existing unobligated appropriations of the **Corporation Capital Fund** which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

CORPORATION CAPITAL FUND

Reduce Account: #310.01 Corp Cap Bond Legal Service	<u>\$7,000.32</u>
<i>Total 300 Series Reductions</i>	\$7,000.32
 Increase Account: #400.xx Kennedy Ave So. Engineering	<u>\$7,000.32</u>
<i>Total 200 Series Increases</i>	\$7,000.32
 Total of All Fund Decreases:	\$7,000.32
Total of All Fund Increases:	\$7,000.32

DULY RESOLVED and ADOPTED this 27th Day of June 2011 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 3 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Konnice Kuiper, Acting President (IC 36-5-2-10)

Attest:
Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

4. **Works Board Order No. 2011-20:** An Order Approving and Authorizing the Metropolitan Police Chief to Enter into a Purchase Agreement with Carrier & Gable, Incorporated to obtain sixty (60) Multimode Vehicle Kits for the Preemptive Signal Project, pursuant to IC 5-22 and §31.20(I)(14) of the Highland Municipal Code.

Councilor Vassar moved and Councilor Herak seconded the passage and adoption of Works Board No. 2011-20. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2011-20**

AN ORDER APPROVING AND AUTHORIZING THE METROPOLITAN POLICE CHIEF TO ENTER INTO A PURCHASE AGREEMENT WITH CARRIER & GABLE, INCORPORATED TO OBTAIN SIXTY (60) MULTIMODE VEHICLE KITS FOR THE PREEMPTIVE SIGNAL PROJECT, PURSUANT TO IC 5-22 AND §31.20(I)(14) OF THE HIGHLAND MUNICIPAL CODE.

WHEREAS, THE TOWN OF HIGHLAND METROPOLITAN POLICE DEPARTMENT, AS PART OF ITS PUBLIC DUTIES, HAS RESPONSIBILITY FOR PATROL, PUBLIC SAFETY AND PROTECTION OF LIFE AND PROPERTY THROUGHOUT THE TOWN OF HIGHLAND AND, FROM TIME TO TIME, IT IS NECESSARY TO PURCHASE AND OR LEASE MATERIALS AND SUPPLIES IN ORDER TO CARRY OUT THE FUNCTIONS OF THE DEPARTMENT; AND

WHEREAS, THE METROPOLITAN POLICE CHIEF HAS PREVIOUSLY DETERMINED A NEED TO OBTAIN CERTAIN EQUIPMENT AND SUPPLIES AND HAS FURTHER DETERMINED IN WRITING THAT THERE IS ONLY ONE SOURCE FOR THE SUPPLY, NO QUOTES FROM VENDORS WAS OR WILL BE SOUGHT, BUT INSTEAD A SPECIAL PURCHASE OF SIXTY (60) MULTIMODE VEHICLE KITS FOR THE PREEMPTIVE SIGNAL PROJECT, AT A UNIT PRICE OF **\$2,400.00**, WILL BE MADE, PURSUANT TO SECTION § 31.20 (I)(14) OF THE HIGHLAND MUNICIPAL CODE;

WHEREAS, THE METROPOLITAN POLICE CHIEF HAS PREVIOUSLY IDENTIFIED CARRIER & GABLE INCORPORATED, TO BE A DESIRABLE SOURCE VENDOR FOR THE PURCHASE OF SIXTY (60) MULTIMODE VEHICLE KITS FOR THE PREEMPTIVE SIGNAL PROJECT, AT A UNIT PRICE OF **\$2,400.00**, BUT A TOTAL CONTRACT PRICE OF **\$144,000.00**, PLUS SHIPPING AND HANDLING, PURSUANT TO SECTION § 31.20 (I)(14) OF THE HIGHLAND MUNICIPAL CODE;

Whereas, The contract price for the purchase of the foregoing is in excess of \$10,000 and, pursuant to §31.18(C) as well as §31.19(B)(1)(b) of the Highland Municipal Code, does require the express approval of the purchasing agency; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to §31.17(A)(2) of the Highland Municipal Code serves as purchasing agency for the Metropolitan Police Department; and

Whereas, The Metropolitan Police Chief, pursuant to §31.19(D)(2) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department; and

Whereas, The purchase will be supported by a duly approved appropriation in the **Special Public Safety Fund**; and

Whereas, The Town Council now desires to approve and authorize the Metropolitan Police Chief to enter into a purchase agreement pursuant to the terms stated herein,

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the Works Board hereby finds and determines that this purchase represents a duly executed **special purchase** pursuant to IC 5-22 and §31.20(I)(14) of the Highland Municipal Code;

SECTION 2. THAT THE PURCHASE OF SIXTY (60) MULTIMODE VEHICLE KITS FOR THE PREEMPTIVE SIGNAL PROJECT, AT A UNIT PRICE OF **\$2,400.00**, BUT A TOTAL CONTRACT PRICE OF **\$144,000.00**, PLUS ANY SHIPPING AND HANDLING, IS HEREBY AUTHORIZED AND APPROVED;

Section 3. That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14;

Be it So Ordered.

DULY, PASSED, ADOPTED AND Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 27th day of June 2011 having passed by a vote of 3 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Konnice Kuiper, Acting President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

5. Works Board Order No. 2011-21: An Order Approving and Authorizing A Proposal From Regency.

Councilor Vassar moved and Councilor Herak seconded the passage and adoption of Works Board No. 2011-21. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The order was adopted. *In the course of discussion after introduction but before adoption, it was inquired about whether the service could be for a fee a pick*

service. It was noted that the electronics collections would be at the Public Works Facility site, requiring residents to drop off items.

**The Town of Highland
Board of Works
Order of the Works Board No. 2011-21**

AN ORDER AUTHORIZING AND APPROVING A PROPOSAL FROM REGENCY TECHNOLOGIES TO PERFORM PROFESSIONAL ELECTRONIC COLLECTION AND RECYCLING SERVICES FOR THE MUNICIPALITY

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality has heretofore determined that a need exists to provide a comprehensive Solid Waste Management Program, codified by ordinance in Chapter 170 in the Highland Municipal Code;

Whereas, The Public Works Director has informed the Town Council that electronic appliances and related items are banned from disposal in Landfills, necessitating initiation of a collection and recycling program for electronic items;

Whereas, Eric King, representing Regency Technologies, has proposed to provide professional electronics recycling services to divert these items from the waste stream, comply with the Landfill ban and to promote a better ecology generally, which is consistent with the objectives of the Solid Waste Management Program of Highland;

Whereas, As purchasing agency, the Town Council may purchase services using any procedure it considers appropriate, pursuant to IC 5-22-6-1; and

Whereas, The Highland Municipal Code provides that, the Town Council may make all contracts for professional services on the basis of competence and qualifications for the type of services to be performed, and negotiate compensation that the public agency determines to be reasonable, pursuant to Section §31.62; and

Whereas, The Town of Highland, through its Town Council acting as the Works Board now desires to accept and approve the proposal for services as herein described.

Now Therefore be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1. That the proposal (incorporated by reference and made a part of this Order) as presented by Eric King of Regency Technologies to provide professional electronics recycling services to divert these items from the waste stream, comply with the Landfill ban and to promote a better ecology generally, which is consistent with the objectives of the Solid Waste Management Program of Highland, as described herein is hereby approved, adopted and authorized in each and every respect;

Section 2. That the charges under the agreement for the services, which is no charge to provide the service described are found to be most reasonable and fair, all pursuant to IC 5-22-6-1 and Section § 31.62 of the municipal code;

Section 3. That the Public Works Director be now authorized to execute the proposed agreement under the terms of this order with his signature as attested thereto by the Clerk-Treasurer.

Be it so Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 27th day of June 2011 having passed by a vote of 3 in favor and 0 opposed.

**WORKS BOARD of the TOWN of
HIGHLAND, INDIANA**

Konnie Kuiper, Acting President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

6. Action to cancel the standing Study Session that would occur on Monday, July 4, 2011, pursuant to Section § 30.27 of the Municipal Code.

Councilor Herak moved with Councilor Vassar seconding that the standing study session meeting of the Town Council slated for Monday, July 4, 2011, be cancelled. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The meeting was cancelled.

7. Action to approve pay for employee at higher than starting pay for the range of the position, pursuant to Section 2 (a) of Ordinance No. 1375 the Wage and Salary Ordinance, as amended. *The Public Works Director requests the hiring of part-time laborer to perform building cleaning at a rate of \$10 per hour. The starting pay rate for the position is \$7.25. The laborer named is Julie Molitor of Cedar Lake, Indiana.*

Councilor Herak moved and Councilor Vassar seconded to authorize the hiring of Julie Moitor as a part-time worker at the higher than starting rate of \$10 per hour. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The order was adopted.

Comments from the Town Council Members
(For the Good of the Order)

- **Councilor Mark Herak:** • *Budget and Finance Chair • Liaison to the Board of Waterworks Directors • Liaison to the Board of Sanitary Commissioners.*

Councilor Herak reported that the Annual Independence Festival Parade as well as the Kennedy Avenue Mile will take place Saturday July 2, 2011; He further noted that the concrete drying still delays progress at the Lincoln Center Phase I reconstruction.

- **Councilor Dan Vassar:** • *Plan Commission Member.*

Councilor Vassar acknowledged the Building Commissioner who offered a brief survey of pending matters before the Plan Commission and the Advisory Board of Zoning Appeals.

Councilor Vassar expressed looking forward to the Independence Festival events.

- **Councilor (Acting President) Konnie Kuiper:** • *Fire Department, Liaison • Town Board of Metropolitan Police Commissioners, Liaison.*

Councilor Kuiper recognized the Metropolitan Police Chief who reported that the Traffic Safety Commission was convening a meeting on Tuesday, July 5, 2011.

Comments from the Public or Visitors

1. With leave from the Town Council, Mr. Bach the Public Works Director, introduced Ms. Julie Florczak, the proprietor of Kustom Kleen. Her firm was the contracted provider of building maintenance and cleaning services until recently. Ms. Florczak noted that her company would be soon closing completely as she pursues a new career in teaching. It was noted that her firm provided these services for six years.
2. Ms. Janet Mika, 8110 5th Street, Highland, inquired about the status of trash pick-up in the alley being moved to the street front in the 4th Place west and 4th Place East area, which her home abuts. Ms. Mika further complained that the Town Council did not convene a meeting with residents on the matter as she understood it would do. It was noted that the Town Council received feedback from many residents objecting to any change from alley collection for trash and the matter was not considered any further.

Ms. Mika renewed her complaint that trash stored in alleys is unsightly and trash becomes strewn about and not addressed by residents.

Payment of Accounts Payable Vouchers. There being no further comments from the public or visitors, Councilor Herak moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period June 14, 2011 through to June 27, 2011 as well as the Payroll Docket of June 3, 2011. Councilor Vassar seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors and payroll dockets were allowed and the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$179,125.15; Motor Vehicle Highway and Street (MVH) Fund, \$19,863.66; Local Road and Street (LRS) Fund, \$10,870.44; VIPS/Parks Public Safety Fund, \$1,000.00;

Law Enforcement Cont. Education and Supply Fund, \$1,096.00; Gasoline Agency Fund, \$28,308.18; Information and Communications Technology Fund, \$5,719.28; Civil Donation Fund, \$2,000.00; Special Events Non Reverting Fund, \$19,398.89; Special Centennial Commission Fund, \$231.61; Police Pension Fund, \$58,310.24; Traffic and Law Violations Agency Fund, \$7,653.00; Sexual Predator Grant Fund, \$20,535.45; Gaming Revenue Sharing Fund, \$10,093.20; Total: \$363,665.10.

June 3, 2011 Payroll Payable Docket:

Office of the Clerk-Treasurer, \$12,350.57; Metropolitan Police Department: \$94,209.98; Building and Inspection: \$6,731.12; Public Works Department (Agency), \$54,804.01; Fire Department, \$2,822.55; Total: \$170,918.23.

Adjournment. Councilor Vassar moved that the plenary meeting be adjourned. Councilor Herak seconded. Upon a vote *viva voce*, the motion passed. The regular meeting of the Town Council of Monday, June 27, 2011 was adjourned at 7:30 O'clock p.m. There was no study session following the meeting.

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer